GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:409
ANSWERED ON:25.02.2015
SECTION A OF IT ACT
Birla Shri Om

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) the number of people apprehended under 66-A of Information Technology Act during each of the last two years and the current year along with reasons therefor;

(b) whether any monitoring mechanism has been set up to regulate the contents uploaded on social networking sites and;

(c) if so, the details thereof and if not the steps taken by the Government to check the uploading of objectionable contents on these sites?

Answer

MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD

(a): Police and Public Order are State subjects under the Constitution and as such the State Governments and Union Territory Administrations are primarily responsible for prevention, detection, registration and investigation of crimes including Cyber Crime and for prosecuting the criminals through Law Enforcement machinery within their jurisdictions. National Crime Record Bureau (NCRB) collects and maintains statistical data of police recorded cognizable crimes from 35 States /Union Terri- tories. Information relating to cyber crime data relating to Section 66-A is not maintained by National Crime Records Bureau (NCRB).

(b) and (c): Government does not monitor or regulate content on social media networking sites. However, the Information Technology (Intermediary Guidelines) Rules 2011 under Section 79 of the Information Technology Act requires that the Intermediaries shall observe due dili- gence while discharging their duties and shall inform the users of Computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way.

An Advisory was issued on August 17, 2012 under Section 79 of Information Technology Act 2000 and Rules therein to all intermediaries asking them to take necessary action to disable inflammatory and hateful content hosted on their website on priority basis. Government is in regular dialog with intermediaries including social networking sites for effective disablement of such objectionable content.

Further, Section 69A of the Information Technology Act 2000 empowers Government to block any information gene- rated, transmitted, received, stored or hosted in any Computer Resource in the interest of sovereignty and integrity of India, defence of India, security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of any cognizable offence relating to the above.

As per section 69A of the IT Act 2000 and the rules pub- lished there in, Government takes action, whenever sites/ URL pages with objectionable contents infringing any Law of the Country are brought to its notice by the law enfo- rcement agencies or when Court issues direction to block any URL of websites.

Cyber Regulation Advisory Committee (CRAC) set up under Information Technology Act 2000, held consultations with stakeholders, industry associations and other experts in meeting to find solution for preventing availability of objectionable content on Internet. Internet Mobile Asso- ciation of India (IMAI), an association of content pro- viders, has been mandated to prepare list of objectionable sites particularly pornographic web sites available in Internet. The identified sites will then be considered for disabling.